IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY THIRD DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 11925 of 2004

Between:

1 Mudili Bhaskara Rao, S/o.Venkateswara Rao,
R/o.Prakashnagar, Krishna Nagar Grampanchayat,
Tadepalli Mandal, Guntur Dist.
2 Mudili Kamala, W/o.Venkateswara Rao,
R/o.Prakashnagar, Krishna Nagar Grampanchayat,
Tadepalli Mandal, Guntur Dist.

..... PETITIONER(S)

AND

1 The State of A.P.rep.by its Prl.Secty., Home Dept.,Secretariat, Hyderabad.
2 The Superintendent of Police, Guntur Dist.
3 The Sub-Inspector of police, Tadepalli Police Station, Guntur Dist.
4 Devineni Venkateswara Rao, s/o. Ankaiah,
R/o.Prakashnagar, Krishna Nagar (V),
Tadepalli Mandal, Guntur Dist.
5 Mudili Nageswara Rao, S/o.Simhachalam,
R/o.Prakashnagar, Krishna Nagar (V),
Tadepalli Mandal, Guntur Dist.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ, order or direction more particularly one in the nature of writ of Habeas Corpus directing the respondents to produce the person of Mudili Venkateswararao, S/o.Simhachalam, aged about 60 years and set him be free; b) issue mandamus to the respondents not to interfere with their personal life and liberty in any manner in the interests of justice and pass.

Counsel for the Petitioner:MR.SATYANARAYANA NIMMAGADDA

Counsel for the Respondent Nos.1 to 3: The Advocate General

Counsel for the Respondent Nos. 4 and 5: None

The Court made the following Oral Order: (per Sri Devinder Gupta,CJ)

The present petition is liable to be dismissed because of suppression of material facts, viz., about filing of Writ Petition No. 5316 of 2004 by the petitioner for the same relief. This fact is not disclosed in the present writ petition.

The writ petition is accordingly dismissed. No costs.

DEVINDER GUPTA,CJ

DATE: 23rd JULY, 2004

C.V. RAMULU,J

pnb

To

1 The Principal Secretary, State of A.P. Home Department, Secretariat, Hyderabad.
2 The Superintendent of Police, Guntur Dist.
3 The Sub-Inspector of police, Tadepalli Police Station, Guntur Dist.
4 Two C.Cs. to the Advocate General, High Court Buildings, Hyderabad.